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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael D. Camras, Michael R. Krames, Wayne L. Snyder, Frank M. Steranka, Robert C. Taber, John J. Uebbing, Douglas W. Pocius, Troy A. Trottier, Christopher H. Lowery, Gerd O. Mueller, Regina B. Mueller-Mach and Gloria E. Hofler

Assignee: LumiLeds Lighting U.S. LLC

Title: Light Emitting Diodes With Improved Light Extraction Efficiency

Serial No.: 09/880,204 Filing Date: June 12, 2001

Examiner: Unknown Group Art Unit: Unknown

Docket No.: M-8633-1P US

San Jose, California
September 10, 2001

BOX MISSING PARTS
COMMISSIONER FOR PATENTS
Washington, D. C. 20231

PETITION TO ACCORD A FILING DATE UNDER 37 CFR 1.53(e)

Dear Sir:

This is a response to Notice to File Missing Parts of Nonprovisional Application ("the Notice") mailed on August 10, 2001. The Notice states that Figure 11, which is referred to in the specification, appears to have been omitted. The Notice further states that failure to respond to the Notice will result in grant of June 12, 2001 filing date for the above-identified application without Figure 11.

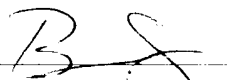
Applicants respectfully request that the filing date of June 12, 2001 be granted for the above-identified application including the enclosed Figure 11 on the grounds that Figure 11 was provided to the U.S. Patent and Trademark Office on September 12, 2000 as a part of Application No. 09/660,317. Application No. 09/660,317, which is related to the above-identified application, is incorporated by reference in its entirety in the above-identified

application. Figure 11, therefore, is already a part of the above-identified application by virtue of incorporation by reference.

A copy of Figure 11, which is identical to the Figure 11 of Application No. 09/660,317 and does not include any new matter, is provided herewith as a formality. Please charge Deposit Account No. 19-2386 \$130.00 for the petition fee under 37 C.F.R. § 1.53(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 19-2386. This paper is being submitted in duplicate. A copy of the Notice is also enclosed.


Please telephone the undersigned at (408) 453-9200, if there are any questions. This form is being submitted in duplicate.

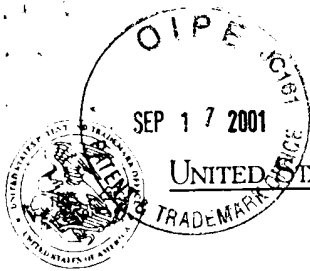
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on September 10, 2001


Attorney for Applicants

9/10/01
Date of Signature

Respectfully submitted,


Brian D. Ogonowsky
Attorney for Applicants
Reg. No. 31,988



1400
9/12/01
Page 1 of 2
SECTOR #

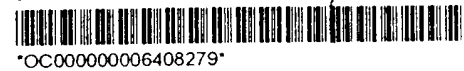
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/880,204	06/12/2001	Michael D. Camras	M-8633-1C US

CONFIRMATION NO. 6136

FORMALITIES LETTER



Brian D. Ogonowsky
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SUITE 700
25 METRO DRIVE
SAN JOSE, CA 95110

Date Mailed: 08/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **11** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the

original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Figure 11

